

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Smith, Gale E., *et al.*  
Serial No. : 09/484,886  
Filing Date : January 18, 2000  
For : **IN VIVO ACTIVE ERYTHROPOIETIN PRODUCED IN  
INSECT CELLS**  
Examiner : Srivastava, Kailsah C.  
Art Unit : 1657  
Confirmation No. : 1236

745 Fifth Avenue, New York, NY 10151

**EXPEDITED PROCEDURE**  
**RESPONSE AFTER FINAL ACTION**  
**UNDER 37 C.F.R. 1.116**

**FILED VIA EFS WEB ON:**  
**August 9, 2010**

**AMENDMENT AND RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 1.116**

**MAIL STOP AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the final Office Action mailed March 12, 2010 setting a three (3) month period for reply.

**Amendments to the claims** begin on page 3 of this paper.

**Remarks** begin on page 7 of this paper.